

Lastly, as a final safeguard, the legislation creates a new Congressional Executive Commission on Trade Security, requiring the appointment of Commissioners by both political parties in both Chambers of Congress.

The Commissioners will be charged with annually certifying that the terms of the free-trade agreement do not pose a threat to our Nation's national security interests. Should the Commission find that compliance with the agreement would pose a threat, the President will be obligated to exercise his or her waiver to the extent necessary to ensure the safety and the security of the United States of America.

In a post-9/11 world, U.S. economic policy can simply no longer be viewed in the narrow scopes of bottom lines and profit margins. Homeland Security Secretary Michael Chertoff said, in 2006:

We have to balance the paramount urgency of security against the fact that we still want to have a robust global trading system.

We can do both. It is the responsibility of our Government to ensure that while opening markets for our exporters, as we should, our first priority remains the safety and the security of the American people.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Georgia is recognized.

IRAQ

Mr. ISAKSON. Mr. President, I rise today to address the war supplemental which was vetoed last night at 10 minutes after 6 by the President. It is my understanding that today leaders from both sides of the Senate will go to the White House, this afternoon, to begin talking about where we go next.

I rise today to talk a little bit about what has got us to where we are, why we are where we are, and what, in my judgment, as one Member of the Senate, we need to be focused on.

I am glad the President vetoed the war supplemental with timelines for withdrawal. It is absolutely wrong to tie the money to support our troops to arbitrary timetables that have nothing to do with success or failure but only to do with the declaration of a cause being lost. We should never declare, as Members of the Senate, our cause to have been lost. And we should never hold hostage the money for our troops based on arbitrary deadlines or thresholds.

It is, however, important for us to debate the war on the floor of the Senate. I hope when the next supplemental

comes, it will be a supplemental that goes to support our men and women who have been deployed in defense of freedom, to give them everything they deserve and everything they need without strings and complication. To do so will not keep us in the Senate from debating the war, but it will clearly separate the money to support our troops from whatever the course that debate may take.

We have a long history in this country of many great Americans taking exactly the same position. One of those great Americans, Walter George, a Member of the Senate, from Georgia, a Democrat, in 1955—when Dwight Eisenhower was President of the United States of America and Adlai Stevenson had been his first opponent, and would be his second opponent in the 1956 Presidential election—the big issue of the day was the issue of Quemoy and Matsu and Red China's attempt to expand its influence on those islands and the policy of the United States of America and our President, Dwight Eisenhower. In *Time* magazine, April's issue, 1955, Walter George, Senator, Democrat from Georgia, a man in whose legacy and in whose shadow I now serve, said the following:

If it would advance the cause of peace, I would be happy for the President to declare his policy. But how would it advance the cause of peace to inform the enemy of what we intend to do?

I know one thing—

George said, and I continue to quote—

if we do fulfill our high mission and our high destiny, it will be because we have resolved to do our dead level best to advance peace, to advance security, to shore up a shaky world. Only by doing that can we vindicate the sacrifice of those who died on land and at sea, and fulfill the hopes of men and women in every free land.

It has been 52 years since that statement was made, but it could never ring more true than it rings today. Walter George was absolutely right, and Walter George, a Democrat, came to the defense of Dwight Eisenhower, a Republican who was President, when Dwight Eisenhower was being forced to play our hand in a critical issue of the day. We should never force our chief executive officer, nor should we force our generals, nor our troops in the field, by declaring our hand before the cards are dealt.

There are a few other quotes I wish to share with my colleagues as I lead up to the point I want to make this morning, and these are contemporary quotes and these are quotes about Iraq. These are quotes about the supplemental. These are quotes about our brave men and women in harm's way. The first is by General Lynch, the commanding officer of the third ID. When asked about whether funding should be tied to an arbitrary timetable for withdrawal, he said:

Ultimately, a precipitous withdrawal would increase the probability that American troops would one day have to return to Iraq and confront an enemy that is even more dangerous than today.

He is absolutely correct. Every time this country waited or every time it determined to withdraw from a conflict or looked the other way from a challenge of evil, it only had to muster itself in greater numbers and fight with greater losses at a greater day in the future.

General Lynch continued:

No matter how frustrating the fight can be and no matter how much we wish the war was over, the security of our country depends directly on the outcome in Iraq. The price of giving up there would be paid in American lives for years to come. It would be an unforgivable mistake for leaders in Washington to allow policies and impatience to stand in the way of protecting the people of the United States of America.

I could not say it better myself.

Lastly, for quotes from contemporaries, Gary Kurpius, commander of the Veterans of Foreign Wars, said the following:

The time to debate the war is not in front of a microphone making irresponsible statements, and it's certainly not in the funding bill that keeps our troops alive. If our troops need funds, it is the responsibility of Congress to provide them the money. Debate the war elsewhere.

My last quote is from an e-mail I got from Captain Schratt, on the ground with the U.S. Army in Baghdad right now, a couple of weeks ago when this debate was going on. He e-mailed me and said: I see they are debating whether or not they can not support the war and still support me. He said: Please tell them I am the war.

That is the truth. Our troops are the war. They are deployed and they are fighting and their funding should not be restrained or constrained or in any way hinged on political gymnastics. Those gymnastics belong in the speeches on this floor and the dialogue we have with our administration.

Now, it is my understanding there are some who are talking about a second supplemental to come, to be an incremental supplemental, maybe 60 days at a time. I would implore the Senate to consider not doing that because that brings uncertainty to our troops in the field and only partial funding on a daily or on a 60-day basis, which is wrong. There are others who are talking about maybe benchmarks—not timetables for withdrawal but benchmarks for the achievement of the Iraqi people. That may or may not be wise, depending on what those are, and I will reserve judgment, but I will tell my colleagues one thing. A lot of us around here have selective memories and have forgotten the fact that we have had some benchmarks.

In fact, when we went into Iraq, the President of the United States, George W. Bush, declared three succinct benchmarks. He said: When we deploy our troops, we will do the following: A, we will search and find the weapons of mass destruction that the U.N. and the entire world believed were there, and in fact we found the remnants and the evidence, although never the smoking gun. Then, second, he said: We are

going to give the Iraqi people a chance to hold free elections and determine a new Constitution and self-determine their future. The Iraqis have held three elections. They have a parliament. They have established a self-determined democracy in their way of doing so, and it is functioning. Then the President said: Our third goal will be to train the Iraqi Army so that it can protect and defend that fledgling Government and we will come home.

Those are three benchmarks. Two of the benchmarks have been achieved. The third benchmark is what the surge is intended to accomplish.

Today in downtown Baghdad and in Anbar Province, American troops are sleeping and eating and deployed in the neighborhoods—not in bases—side by side with Iraqi troops. The securing of neighborhoods is taking place, the holding of neighborhoods is taking place, and the rebuilding of those neighborhoods is soon to follow. In the months ahead, if we remain committed to the cause, if we fund our troops, we have the opportunity to reduce the violence, to allow the reconciliation that is so necessary.

So as people debate whether we ought to put benchmarks in supplemental appropriations for our men and women in harm's way, I hope they will recognize we have benchmarks, three that we established when almost every Member of the Congress voted to go into Iraq, two of which have been completely met and satisfied and a third is partially there and will ultimately be achieved if we don't pull the plug and we continue to fund our troops.

War is never fun and it is always controversial. There is not a one of us in this room who does not wish war was ever necessary. But we know as we look back upon history, as Walter George, the Senator from Georgia, said: We have to honor the lives of those who were lost on land and sea to preserve freedom and liberty and democracy for the people of the United States of America. We are at such a day today with our battle in Iraq and in the overall war on terror. Iraq is but a battle in that war. We don't need to send signals that we will quit; we don't need to declare that we have lost. We need to declare the resolve to see the mission through. There are 140,000 brave men and women deployed in Iraq right now committed to the cause. When they come home and I talk to them, to the man and to the woman, they all say: We are there for the right reason. We are making progress. Continue to support me, and we will do the job.

So as the leaders go to the White House today to discuss with the President where we go next, as we look to what we do in this supplemental, let's resolve to fund our troops. Let's resolve to do it without condition on our troops. Let's resolve to do it without declaring defeat but instead in the interest of and with a commitment to victory. Then, if we have debate—and

we should and we must—let's have it on the floor, unattached to funding, not restricting our troops but deciding what our course will be and the absolute objective to be, rather than a conditional debate that only sends a message to our enemy that our resolve may be lost and we may be turning the other way. As Walter F. George said in 1955, an American Democratic Senator from Georgia, in support of a Republican President, we should honor the lives that have been lost and stay true to our commitment, and it will never be in our interests to declare to our enemies what our intentions might be.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, 3 months ago, the President of the United States asked Congress to pass an emergency war spending bill that would provide our brave men and women in uniform with the funds and the flexibility they need to succeed in what has been called the central front on the war against al-Qaida in Iraq. Instead, this body helped pass a bill that substitutes the opinions of politicians for the judgment of our military commanders. The bill Congress passed was, in my view, unacceptable, and late. Eighty-five days after the President had requested the funds on an emergency basis, Speaker PELOSI finally forwarded the bill to the President yesterday. It was no surprise that the President vetoed the bill within hours because he had said he would, and so the outcome was predictable.

The President, in his address to the Nation last night, made it very clear that it remains his desire to work with Congress to resolve this matter as quickly and expeditiously as possible. Today, he is holding a bipartisan meeting with congressional leaders at the White House for that purpose.

We have known for weeks that this legislation was flawed and that we would find ourselves in this place—a bill that included a surrender date, when we tell our enemies we would simply give up, and one larded with porkbarrel spending in order to secure the votes of recalcitrant Members who were unwilling to vote for this flawed bill on its merits.

The President outlined these shortcomings last night.

First, he said the bill would mandate an artificial deadline for troops to begin withdrawing from Iraq. The withdrawal could start as early as July 1 and would have to start no later than October 1 regardless of the situation on the ground. The language in the bill defies sound military logic and, I would

say, common sense itself. It makes no sense to tell the enemy when you plan to start withdrawing. Setting a deadline for withdrawal is setting a date for failure, and it would be irresponsible. As the President made very clear last night, setting this deadline for withdrawal would also demoralize the Iraqi people and encourage the killers across the broader Middle East, such as al-Qaida, and send a signal that America will not keep its commitments.

Second, the bill would impose impossible conditions on our commanders in combat. After forcing most of our troops to withdraw, the bill would dictate the terms on which the remaining commanders and troops could engage the enemy. American commanders in the middle of a combat zone would have to take fighting directions from politicians thousands of miles away in Washington, DC.

Third, as I mentioned, the bill is loaded with billions of dollars of non-emergency porkbarrel spending that has nothing to do with fighting the war on terror and which demeans the importance of this particular legislation, designed as it is to support our troops who are literally in harm's way.

Democratic leaders know that many of us in Congress disagree with their approach and their desire to use this bill as an opportunity to make a political statement about their opposition to the war. Yet we know there are not enough votes to override a veto. It is time to put politics behind us and support our troops with the funds they need. Some have confused the need to debate, which I agree with, with cause for delay, which I disagree with. There should be no cause for delay in getting these emergency funds to our troops, and the debate will indeed continue.

In February, we began sending the first of the reinforcements that General Petraeus, the new commander in Iraq, requested. Not all of these reinforcements have arrived; roughly half of them have. As General Petraeus said just last week, it will be at least the end of the summer before we can assess the impact of this new operation, the Baghdad security plan, or surge. We ought to give General Petraeus's plan a chance to work.

In the months since our military has been implementing this plan, we have actually begun to see some important results. General Petraeus noted that one of the most important indicators of progress is the level of sectarian violence in Baghdad. He reported that, since January, the number of sectarian murders has dropped substantially. Spectacular suicide attacks that have caused great suffering in Iraq continue because these attacks are largely the work of al-Qaida, the Sunni extremists—the enemy that everyone agrees we should be fighting, or at least some say we should be fighting. At the same time, they would impose arbitrary deadlines, imposing a surrender date on our troops.

The objective of these al-Qaida attacks is to reignite the sectarian violence in Baghdad and breaking support for the war here at home. That was the goal of al-Zarqawi, whom we were fortunate to be able to take out of the fight, and that is the fight now of the remaining al-Qaida extremists in Iraq. General Petraeus explained it this way:

Iraq is, in fact, the central front of al-Qaida's global campaign.

It just boggles my mind, Mr. President, for some of us to stand here on the floor and say we ought to withdraw our troops from Iraq when, in fact, al-Qaida—the enemy that hit innocent Americans and killed 3,000 of them on September 11, 2001—considers Iraq to be the central front in their campaign against the West. Al-Qaida's role makes the conflict in Iraq far more complex than a simple fight between Iraqis. Many also belong to the same terrorist network, as I said, that attacked us on September 11, 2001. Were we to leave prematurely, were we to leave a power vacuum in Iraq, al-Qaida would no doubt, as they did in Afghanistan earlier, use that power vacuum as an opportunity to regroup, to plan, to train, to recruit, and then to export additional terrorist attacks against the United States here on this continent.

We need to give our troops all of the equipment and training and protection they need to prevail. Without a war funding bill, the military has to take money from some other account—notably, the Air Force or Navy—just in order to make sure the Army has the resources they need, so the troops can have the equipment they need, so they can rotate back on a timely basis and come home to the loving arms of their families, to repair existing equipment. And worst of all, in one sense, failing to send this money on a timely basis to the military hurts the military families who are waiting behind, anxious, as we all understand, for the welfare and safety of their loved ones. Our troops and their families deserve better.

So I hope that after the last 86 days, which have been characterized by political theater and gamesmanship, where some have been more focused on the 2008 election and trying to find ways to gain political advantage, I hope Republicans and Democrats, the legislative branch and executive branch, can come together and do what we should have done months ago—get the funds to the troops as soon as possible, without the surrender deadline, without tying the hands of our military commanders and making their opportunity for success impossible, and without the porkbarrel spending that demeans the noble sacrifice of these brave men and women.

Mr. President, I yield the floor and yield back our remaining time.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WEBB). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, we yield back all morning business time.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PRESCRIPTION DRUG USER FEE AMENDMENTS OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1082, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1082) to amend the Federal Food, Drug, and Cosmetic Act to reauthorize and amend the prescription drug user fee provisions, and for other purposes.

Pending:

Landrieu amendment No. 1004, to require the Food and Drug Administration to permit the sale of baby turtles as pets so long as the seller uses proven methods to effectively treat salmonella.

Dorgan amendment No. 990, to provide for the importation of prescription drugs.

AMENDMENT NO. 1010 TO AMENDMENT NO. 990

(Purpose: To protect the health and safety of the public)

Mr. COCHRAN. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for himself, Mr. CARPER, Mr. NELSON of Nebraska, Mr. HATCH, Mr. BENNETT, Mr. ENZI, Mr. BURR, and Mr. MENENDEZ, proposes an amendment numbered 1010 to amendment 990.

At the end of the amendment, add the following:

SEC. ____ PROTECTION OF HEALTH AND SAFETY.

This title, and the amendments made by this title, shall become effective only if the Secretary of Health and Human Services certifies to Congress that the implementation of this title (and amendments) will—

(1) pose no additional risk to the public's health and safety; and

(2) result in a significant reduction in the cost of covered products to the American consumer.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am offering this amendment for myself, as well as for these cosponsors: Mr. CARPER, Mr. NELSON of Nebraska, Mr. HATCH, Mr. BENNETT, Mr. ENZI, Mr. BURR, and Mr. MENENDEZ. This is an amendment to the amendment proposed by Mr. DORGAN.

Improving the health and quality of life for Americans is very important to all of us, and access to safe and effective prescription drugs is a major step

in accomplishing these goals. With recent scientific advances, a number of medical therapies have been made available to treat and, in some cases, to cure diseases. We want Americans to continue to have access to safe and effective drugs that are approved by the Food and Drug Administration.

But we must not create opportunities for potentially dangerous drug products from foreign countries to reach the American consumer. For example, counterfeit products, those that have been tampered with or those of unknown origin, should not be brought into this country. I am concerned that allowing the importation of prescription drugs would allow such risks to become more likely.

The amendment proposed by the Senator from North Dakota will put in jeopardy the process we now have to ensure the safety of prescription medications and protect the health of the American people.

I am offering this second-degree amendment to require the Secretary of Health and Human Services to certify that the importation of drug products will not pose additional risks to Americans and will, indeed, lower costs to consumers.

If, as some argue, a policy of importation is safe and will reduce costs, this amendment should not be a problem.

We have debated this issue before on several previous occasions. For example, during the consideration of annual appropriations bills for the Department of Agriculture, the Food and Drug Administration, and related agencies, when considering the Greater Access to Pharmaceuticals Act, and even during the debate and passage of the Medicare Modernization Act of 2003, a similar amendment to require the safety of imported drugs was considered and unanimously approved each time.

In all these instances, the Senate has adopted this amendment by a unanimous vote. The safety of the American consumer must be our No. 1 priority. These safeguards should also be applied to this proposal.

We should be certain that any change we make in the law does not result in less protection in terms of the safety of the drugs supplied to the American people and will, indeed, make prescription drugs more affordable. Liberalization of protections that are designed to keep unsafe drugs out of this country, especially considering the terrorist threats we face now, should occur only if the necessary safeguards are in place. This amendment will ensure that the concerns of the last two administrations regarding safety and cost-effectiveness are addressed prior to the implementation of this proposal.

Counterfeiting of drugs has become a more common practice throughout the world, and the transshipment of these counterfeit products through Canada is one of the most serious dangers we face. The Canadian Government itself has said that drug products shipped to